

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NELSON CAMPBELL, ET AL.,

Plaintiff,

v.

FMC TECHNOLOGIES SURFACE
INTEGRATED SVCS, ET AL.,

Defendants.

Case No. 1:20-cv-00901-CDB

ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE IMPOSED
FOR THE PARTIES' FAILURE TO
COMPLY WITH THE COURT'S ORDERS

DEADLINE: FRIDAY, JANUARY 13, 2023

On December 9, 2022, the Court entered an order approving the parties' proposed PAGA settlement and ordered the parties to file dispositional documents by January 9, 2023. (ECF No. 33). As of the date of this Order, neither party has complied with the Court's order to file either a stipulation to dismiss this action or a report setting forth why a final accounting by the claims administrator has not been accomplished, along with an intended date of stipulated dismissal. *Id.* at p. 8. Nor has either party applied to the Court for an extension of time by which to comply with the Court's order. Based on the parties' representations in the stipulation seeking the Court's approval of the PAGA settlement, the Court vacated the impending pretrial conference date (January 17, 2023) and all associated dates through trial.

Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all

1 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to
2 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
3 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
4 2000).

5 Based on the foregoing, IT IS HEREBY ORDERED, not later than **January 13, 2023**,
6 BOTH parties SHALL show cause in writing why sanctions should not be imposed for their
7 failure to comply with the Court’s order requiring the filing of dispositional documents by
8 January 9, 2023. Alternatively, the parties may file a stipulation to dismiss this action in order to
9 comply with this Order.

10 The parties are advised that failure to respond to this Order to Show Cause may result in
11 the imposition of sanctions.

12 IT IS SO ORDERED.

13 Dated: **January 11, 2023**

14 
UNITED STATES MAGISTRATE JUDGE